

REMARKS

Reconsideration and allowance of the present application based on the following remarks are respectfully requested.

Upon entry of the above amendments, claims 1-4 and 7-11, as amended, and new claims 12-18, will be pending.

Claims 12-15 are supported by the disclosure on page 6, lines 6-28.

Claims 16-17 are supported by the disclosure on page 7, line 25 to page 8, line 28.

Claim 18 is supported by, for example, original claims 1 and 5.

Applicants note, with appreciation, that claims 1-4 and 6-11 are considered to be directed to allowable subject matter while claim 5, although also free of the prior art, was not considered to be in compliance with 35 USC 112, first and second paragraphs.

Since the first appearance of "NBR" in the remaining claims is in claim 2, this claim is amended to replace "NBR" with "nitrile-butadiene rubber." Accordingly, the formal rejection applied against claim 1 should be withdrawn.

With regard to claim 5, which included the use of a polymer of NBR (nitrile-butadiene rubber) that is polymerized in the presence of a polymerizable antidegradant, the Examiner considered this claim to be in conflict with the recitation, "with the use of NBR that is polymerized in the presence of an antidegradant being excluded" at the end of claim 1.

In order to resolve this alleged conflict, the "exclusion" is deleted from claim 1 and the feature from claim 5 ("wherein the hydrogenation is carried out in the presence of a compound which contains an element from group 13 of the periodic system as catalyst") is introduced into claim 1.

Since the subject matter of claim 5 is part of the application as originally filed the specification is also amended to specifically recite this subject matter.

Therefore, the amendments to the specification and claims do not introduce new matter into the application.

In view of the cancellation of claim 5 and the amendments to the specification and claim 1, the subject application is believed to be in condition for allowance.

In this regard, the Examiner's statement of reasons for allowance (¶7) apply equally to the pending claims. Moreover, the Parker '356 patent does not disclose compounds which contain an element from group 13 of the periodic system, such as boron containing compounds, as catalyst.

Applicants are submitting herewith an Information Disclosure Statement with Form PTO-1449 listing U.S. patent Nos. 3,658,789 and 3,767,628 (with copies attached). These patents are cited at column 4, lines 23-29 in U.S. 5,424,356 to Parker (of record) for polymerizable antidegradants.

Therefore, all objections and rejections having been addressed, it is respectfully submitted that the present application, with claims 1-4 and 7-18, is in condition for allowance and a Notice to that effect is earnestly solicited.

Should any issues remain unresolved, the Examiner is encouraged to contact the undersigned attorney for Applicants at the telephone number indicated below in order to expeditiously resolve any remaining issues.

Please charge any fees associated with the submission of this paper to Deposit Account Number 033975. The Commissioner for Patents is also authorized to credit any over payments to the above-referenced Deposit Account.

Respectfully submitted,
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